

are requested for these eight lots to have an average frontage of 62.15 feet and 7,071 square feet of lot area. The Comprehensive Plan test per the policies of the Comprehensive Plan and text of the Subdivision Code, the decisions on subdivisions within existing neighborhoods is to be based on an analysis of the comparable lot sizes of properties in the same zoning district within a 500 foot radius. Excepting out the two Church properties, within the surrounding neighborhood radius of 500 feet there are 80 single-family residential properties that are zoned comparable R-1A. Of those 80 properties, there are 60 properties (75%) that are between 50-54.5 feet wide. There are 19 properties (23.75%) that are 60 feet wide and one which is 70 feet wide (1.25%). The average lot width is 54.5 feet and the average lot size is 5,975 square feet. Thus the proposed lots meet the Comprehensive Plan test by exceeding the neighborhood average and median lot sizes.

He said that this request is accompanied by a Development Agreement prepared by the applicant. This is done in order to provide certainty for the applicant, the City and the neighbors in order to provide for comparably sized homes within this development. It provides certainty that the final plat will conform to the dimensions and layout as presented. It provides for the City, assurances as to the maintenance and common usage of the alley easements/alley tracts. It also provides to the applicant the ability to spread the allowable floor area ratio or house size (43% FAR) over the entire development. The applicant desires to have a minimum of 2,000 square feet of living area within each home plus the two car garage. This Agreement spreads some of the FAR to the four smallest lots and thereby reduces the FAR or house sizes on the other eight lots. The Agreement also specifies that while there is not architectural approval of the homes by the City, all of the homes will have open front porches, typical of the traditional neighborhood architecture and also all the homes will have rear loaded two car garages.

He summarized by stating that the neighborhood position has been very clear that the zoning should remain R-1A and the redevelopment should be single family detached homes. That is what is proposed by the applicant. The neighbors would prefer homes that are smaller and more affordable than what the City's code allows but the City cannot control the marketplace or dictate prices. The planning staff believes that the Development Agreement provides certainty for everyone that only what is shown is what will be developed and that the design elements desired (open front porches and rear entry garages) will be utilized. Thus this property cannot be sold to others who later change their minds on what can be built. As a new re-plat, all of the restrictions can be placed on the plat, be contained in the covenants and restrictions that are recorded with the new re-plat and be carried forward as restrictions upon the deeds. Staff recommended approval of the lot consolidation and subdivision requests subject to the proposed plan and voluntary Development Agreement restrictions and provisions. Mr. Briggs responded to Board member questions and concerns.

Dan Bellows, the applicant, 558 West New England Avenue, spoke concerning the request. He presented information received from Orange County and Winter Park Utilities confirming the number of units on the lots in the past. He explained that 10 parcels, at one period in time, 12 units, 11 structures on 10 lots.

Kevin Kramer, David Weekly Homes, addressed the concerns for the 45 foot lot width and noted that there are other properties in proximity that are 45 feet. He noted that two of the properties are a part of the subject request. He said that there is already a precedent of smaller lots in the area. He provided an overview of the homes proposed for the development to include FAR and square footage.

Bob Cambric, 1614 McKinley Street, Hollywood, Florida, said that the residents met on 9/19 to go over the proposal. He provided the Board members with community concerns discussed at that meeting. The residents were appreciative that the Board listened to the concerns of the community. They are appreciative that the applicant changed the proposal in response to neighborhood concerns. They requested that the lots be restricted to no less than 50 feet. He expressed concern that the easement has not been granted. He said that if the easement is not granted then there would be no access to the "D" lots. He requested that the request be re-examined to determine whether or not the lots can be reconfigured in the newly built section. He reiterated the request that there be no lots less than 50 feet.

Mary Daniels, thanked the Board members for listening to the concerns of the residents. She thanked the applicant for retaining the R-1A zoning. She expressed concern that the applicant does not own or have the deed to the alley tract and questioned what will happen if he is not able obtain the property. She also

expressed concern with ingress/egress for the “D” lots. She acknowledged that there are other 45 foot lots in close proximity to the subject parcel but are too small and close. She expressed concern with some of the language in the Development Agreement. She said that she feels that changing the language will offer more protection to the City going forward. She encouraged the Board members to please adhere to the goals and regulations set forth in the Comprehensive Plan and Land Development Code.

John Schofield, 358 Vittoria Avenue, owns property in close proximity to the proposed project. He said that historically there are 1,200 to 1,500 square foot houses in the west side. He said that he feels that the system has worked exactly the way it is supposed to. He thanked the Board members for listening to the citizens. He thanked the applicant for listening to the citizens and said that he supports the development of single-family houses.

Mary Randall, 1000 South Kentucky Avenue, thanked the Board members and applicants for listening to the concerns of the citizens. She stated that she agrees with the comments made by Mr. Schofield. She said that she feels that the 45-foot lot width is too small and close and that it opens the door to more problems. She requested that the wider frontage be maintained.

Lurline Fletcher, 811 English Court, stated that she is concerned with noise and increased traffic.

Donna Colado, 327 Beloit Avenue, commended the compromises that have been made. She said that she is happy to see the compromise of single-family residential. She expressed concern that the project spreading the FAR.

The applicant restated that they are not creating 45-foot lots as they are already in existence. He noted that there is an existing platted easement for ingress/egress that he owns fee simple as well as all the contiguous abutting properties.

No one else wished to address the Board. Public Hearing closed.

Mr. J. Johnston applauded the applicant and residents for reaching a compromise on this issue. He stated that he feels that the new proposal is a great compromise and meets current requirements and setbacks, and that the applicant is not requesting any setback variances. The other Board members also voiced their appreciation for the proposal being developed under the existing R-1A zoning regulations.

Motion made by Mr. Sacha, seconded by Mrs. De Ciccio recommending approval of the lot consolidation and subdivision requests subject to the proposed plan and voluntary development agreement restrictions and provisions. Motion carried unanimously with a 7-0 vote.

REQUEST OF PHIL KEAN DESIGN GROUP TO: REVISE THE SITE PLAN FOR THE TOWNHOUSE PROJECT AT 403 AND 421 WEST MORSE BOULEVARD.

Planning Manager Jeffrey Briggs presented the staff report. He explained that on June 3, 2014, the Planning Board voted unanimously to recommend approval of a proposed eight unit townhouse project at 403 & 421 W. Morse Boulevard. The project was also approved by the City Commission on June 23, 2014 with the condition, as recommended by P&Z, that the existing live oak tree on the north property line be preserved. He updated the Board members on what has been happening with the project. He said that the developers had the live oak tree surveyed including the extent of the canopy and consulted with the City's Chief of Forestry, Dru Dennison. The conclusion was that the original site plan with two units fronting on Virginia Avenue could not be built as presented without significant damage to the live oak tree and its canopy. As a result, the site plan has been revised by moving one of those townhouse units back into the northwest corner of the site. This then provides the space and separation from the live oak tree needed for its preservation and protection. Attached are the original site plan and the revised site plan. The only issue is that by relocating the townhouse unit, it now occupies land originally intended for visitor parking. The parking requirement is 2.5 spaces for each unit. Each townhouse has a two car garage but based on the eight units, there are four visitor spaces needed. The revised site plan has room for only two visitor spaces. Thus, the developers are asking for approval of the revised site plan and a variance for the two visitor parking spaces based upon the hardship or special

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conditions and circumstances caused by preserved the existing live oak tree. Staff notes that in this location there is ample on-street visitor parking available.

Phil Kean, the applicant, 229 Alexander Place, agreed with staff recommendations. He also responded to Board member questions and concerns. No one wished to speak in favor of or in opposition to the request. Public Hearing closed.

The Board members expressed their satisfaction with the revised site plan and felt that the tree preservation condition from the City was the need for the variance, not a variance initiated by the applicant. The Board also recognized that ample on-street parking exists on Virginia Avenue for visitors.

Motion made by Mr. Sacha, seconded by Mr. Weldon to approve the request to revise the site plan for the townhouse project at 403 and 421 West Morse Boulevard. Motion carried unanimously with a 7-0 vote.

NEW BUSINESS:

- Request of the City Commission for a recommendation of the parking codes for retail stores, shopping centers and restaurants.

Planning Manager Jeffrey Briggs explained that the City Commission has asked that the Planning and Zoning Board examine and make a recommendation for any suggested changes to the City's parking codes for retail stores, shopping centers and restaurants. He noted that the Planning and Zoning Board discussed this matter at their work session on September 23, 2014. Mr. Briggs responded to Board member questions and concerns.

The Planning and Zoning Board members expressed that they did not believe changes to the parking codes are necessary at this time. The Board believes that the retail store/shopping center parking codes have worked successfully in the past and there is no reason to change the parking requirements based on the experience from one particular store (Trader Joe's). The P&Z Board also believes that the restaurant parking code (that was increased in 2009) is adequate to meet the needs of most establishments.

Motion made by Mr. Weldon, seconded by Mr. Sacha recommending that the City Commission not amend parking codes for retail stores, shopping centers and restaurants at this time. Motion carried unanimously with a 7-0 vote.

Date of Next Regular Meeting: Tuesday, November 4, 2014 at 6:00 p.m.

Date of Next Work Session Meeting: Tuesday, October 28, 2014 @ 12:00 noon

There was no further business. Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Lisa M. Smith
Recording Secretary